

**United States Court of Appeals for the Second Circuit  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007**

**ROBERT A. KATZMANN**  
CHIEF JUDGE

**CATHERINE O'HAGAN WOLFE**  
CLERK OF COURT

Date: May 09, 2014  
Docket #: 14-1354cv  
Short Title: Simon v. Smith & Nephew, Inc.

DC Docket #: 13-cv-1909  
DC Court: SDNY (NEW YORK CITY)  
DC Judge: Engelmayer

**NOTICE OF EXPEDITED APPEAL**

By notice filed April 30, 2014, an appeal has been taken from a judgment/order that dismissed the complaint. The grounds of dismissal make this appeal eligible for assignment to the Court's Expedited Appeals Calendar under Local Rule 31.2 (b), and the appeal is hereby placed on that calendar.

Appellant's brief is due no later than June 13, 2014, 35 days from the date of this notice. Appellee's brief is due no later than July 18, 2014 or, 35 days from the date Appellant's brief is filed, whichever date is sooner. Absent extraordinary circumstances, the Court will not grant a motion to extend the time to file a brief. See Local Rule 27.1(f)(1).

Inquiries regarding this case may be directed to 212-857-8612.